RUEF LOSES

In His Effort to Delay Trial for Extortion.

CASE OF SCHMITZ

Mayor of San Francisco, Indicter with Ruef on Same Charge, Goes to Trial To-day.

San Francisco, March 12.- The state supreme court on Monday denied the application of Abraham Ruef, indicted for extortion, for a writ of prohibition to prevent Judge Dunne from proceed ing with the trial of Ruet pending the disposition of the writ of error to the United States supreme court granted by Judge Hebbard.

Judge De Haven in the United States district court refused Ruef's petition for a writ of habeas corpus and denied Ruef the right to appeal from this dectaion.

then Judge Donne's court opened Monday a flerce scrimmage resulted from the attempts of hundreds of persons to get in. For five minutes bailiffs battled with the mob, perhaps 50 of whom succeeded in getting inside.

Judge Dunne ordered the doors locked but until the adjournment of the ession many stood in the corridor, hoping valuly for a chance to ge: into the court room.

Huef appeared with all his attorneys save Samuel M. Shortridge, who, having been ordered to jall on Friday by Judge Dunne for contempt and who is now at liberty on his recognizance by virtue of an appeal to the district court of appeals, withheld himself from appearance. Ruef took a seat near the counsel table. By him sat Mayor Schmitz. Assistant District Attorney Hency appeared for the people.

The contest was opened by Mr. Heney, who moved that the court quash the order made by Judge Hebbard in the superior court by which Ruef's original \$50,000 ball was re-

Hency grounded his motion on the declaration that Ruef never was actually in confinement; that his petition to Judge Hebbard for release on habeas corpus was not bona fide and that a court cannot reverse itself in a habeas corpus decision.

Attorney Ach, chief counsel for Ruef, opposed Heney's motion, asserting that under the constitution of Callfornia a writ of habeas corpus is granted not by the court, but by the judge, in his own discretion, and is absolutely final and may not under any circumstances be set aside by another judge of a co-ordinate court.

'In my opinion." said Judge Danne, "the proceedings in Department Four (Judge Hebbard's) of the superior court were had by means of trickery and were a fraud. I believe that the court had no jurisdiction in this babeas corpus application, but if it did have jurisdiction Judge Hebbard's action in refusing the writ of habeas corcourt in the land with the obvious intent of restraining a Judge of concurrent jurisdiction from legal procedure in the same case, does not operate as a supersedeas barring this court from proceeding in the case."

Judge Dunne brought the argument Prison to a close by remarking: "As no hardship can be worked by deferring this hearing until the supreme court is heard from, I will take under consideration the motion to set aside the or-Department Four and will adjourn the present proceedings until tomorrow. The court remanded Ruef to the cus-

tody of Ellsor Biggy until that time. The case of Mayor Schmitz, in-dicted with Reuf for extortion on five counts, was then called. Counsel announced that the defendant was ready. out demanded a separate trial. Schmitz announced his readiness to go to trial to-day and Judge Dunne set the case for 10 a. m.

Robbed and Assaulted His Employer. New York, March 12.-Charged with assaulting Mortimer L. Schiff, prominent in financial circles, with a bowling pin after robbing his resi-dence at 932 Fifth avenue, Lawrence De Foulke, 21 years old, a valet, was arrested Monday. De Foulke was comnitted to prison under \$5,000 bail. According to Schiff, the prisoner managed to get away with about \$200 worth of Jewelry.

Officials Deny the Story.

Washington, March 12.-State department officials are emphatic their denial of reports that President Zelaya, of Nicaragua, forced Mr. Merry, the American minister to Nic-arauga, out of Nicaragua and offered im a serious insult at the time of Merry's visit to Managua, the Nicaraguan capital, three weeks ago

Schaefer Regains the Championship. Chicago, March 12 .- "Jake" Schae-Chicago last night won the

world's billiard championship at 18.1 Illiards from George Sutton. Score: Schaofer 500, Sunton 448. Will Not Discriminate. Washington, March 12.-The post-

office department does not intend to draw the color lipe in the matter of white and negro railway mall clerks working together on the same runs. Although an intimation has been given the superintendents of the railway mail service that white clerks in the middle west are preparing to request be department to effect a change so is to put the negroes on the runs ch will not bring them in proximity the whites, it was stated Monday but no such disprimination could a IT'S NOT THE LIGHT, BUT WHAT THE LIGHT DISCLOSES.



BRIEF NEWS NUGGETS.

M. Petkoff, the premier and ministe: of the interior, was assassinated Sofia, Bulgaria.

In the United States circuit court a Knoxville, Tenn., Robert B. Oliver and his six foremen were acquitted on the charge of peonage. There were 1 white men and one negro on the jury

Rodolphus W. Fuller, the inventor o the machine to make horse shoes, is dead at Hanover, Conn., aged 85 years Fuller's invention was copied by mer who made millions through it, but the inventor died a poor man.

The inquiry by the senate commit tee on military affairs into the facts connected with the affray at Browns ville, Tex., which resulted in the dis char of a battalion of the Twenty fifth infantry, has been resumed a Washington.

The legislative inquiry into the nev state capital contracts and accounts has begun at Harrisburg, Pa. The in vestigation grew out of allegations that there were gross extravagance overcharges and duplication of items in the equipment of the building.

Paid a Fine of \$3,000.

Burlington, Vt., March 12 .- The Con solidated Rendering Co., of Boston which owns the Burlington Rendering Co.'s plant in this city, pleaded guilty in the Chittenden county court Mon day to four indictments charging sell ing and having in its possession dis eased meat, and was fined \$3,000 and costs. The indictments contained 400 counts, to 34 of which the company pleaded guilty. The remaining counts together with the indictments on simi lar charges returned by the grand jury against L. E. Brigham, manager of the Burlington plant, will be quashed.

Alleged "Joke" Caused Death.

Pittsburg, March 12.-John Dombi years old, a laborer, employed in pressed steel car works at Mc-Kee's Rocks, was burned to death Monday, the victim of a joke. Becoming fatigued, he lay down in front of a hot coke salamander and fell asleep It is alleged a craneman poured oil over the salamander, thinking the finsh when the oil should ignite would pus and remanding Reuf and then frighten the sleeping man. Most of granting by writ of error an appeal to the oil instead of going into the sale mander fell on Dombi. When the flash came, it ignited his clothes

Was Designed by Stanford White. New York, March 12.-The committee to select a monument for the Ship Martyrs on Monday awarded the contract to a Brooklyn company. The price wiff be \$172,000 and the monument will be erected in Fort Greene park, Brooklyn. It was designed by the late Stanford White and will be 200 feet high and con

structed of white granite. The Merger Law Is O. K.

Philadelphia, March 12,-The state supreme court on Monday affirmed the judgment of the superior court permitting the consolidation of Pitts burg and Allegheny City. The case has been fought from the lower courts. the opponents of "Greater Pittsburg" claiming that the legislative act providing for the consolidation was un constitutional.

Biggest Pottery is to be Sold.

Kittanning, Pa., March 12 .- By a decree of the Armstrong county courts the Ford china pottery at Ford City will be offered for sale on April 16 to satisfy \$32,000 of first mortgage bonds held by the Fidelity Title and Trust Co., of Pittsburg. This is said to be the largest pottery under one roof in the United States. It has been closed for months.

Killed Wife, Children and Himself. Dresden, March 12.-A crime of particular horror has occurred here. Herman Wilsdorf, a retired forester shot and killed five of his six children and wounded the sixth child. He then killed his wife, after which he committed suicide.

Cambridge, Mass., March 12.-The discovery of a new comet was an nonnced Monday in a cablegram re ceived at the Harvard observators from Prof. Krentz at Klel, the discov erer being Glacobini at Nice.

Twenty-two Men Drowned.

Redding, Cal., March 12.-Twenty four Greek laborers started to cross the Sacramento river in a boat at Pit Monday afternoon. The boat capsized and 32 of the men were drowned. The men were employed by the New Del mar-Pitt railroad.

Recalled the Anti-Merger Bill.

Lansing. Mich., March 12.—The state senate last night recalled from the governor and tabled the hill to prevent the mergins of mining compathe feat was rashed through the leg

Mr. Jerome Calls Ten Wit nesses to the Stand

HE GAINS LITTLE

District Attorney Encounters a Stone Wall in Trying to Assail Young Mrs. Thaw's Story.

New York, March 12 .-- On Monday, the first day of the state's case in rebuttal at the trial of Figrry K. Thaw, District Attorney Jerome came to a temporary standstill against the practically solid wall the rules of evidence tically solid wall the rules of evidence have built around the story of Evelyn Neshit Thaw. Mr. Jerome began to service to Indiana was not interfered opened. There ensued a well-nigh ceaseless battle between the prosecutor and Delpkin M. Delmas, the leading counsel for the defense, at the end ville. of which Justice Fitzgerald upheld the trial-that young Mrs. Thaw's story

that its truth or fabilty is not material. Mr. Jerome tried to avoid this rule by declaring he was endeavoring could not possibly have told the story to her husband. Although he will when the time comes, it is said the district attorney may attempt in the same way to prove an alibi for Stanford White, on the night he is alleged to have maltreated Miss Neshit.

Nine-tenths of Monday's session were spent in argument and in nearly had got before the jury a perfect knowledge as to what his witnesses would have testified to had they been permitted. The district attorney called ten witnesses during the day but aside from drawing from the state's eyewirnesses to the tragedy the opinion that Thaw seemed rational the night he shot and killed Stanford White, little real headway was made

Government Sues Lake Shore Road.

Buffalo, N. 7. March 12,-District Attorney Bass has filed 15 complaints brought by the government against the Lake Shore & Michigan Southern Railway Co. for violating the law in regard to the transportation of cattle. In each complaint judgment is asked for \$500, the maximum penalty imposed by the law, the amount aggregating \$7,500. The federal law provides that cattle shall not be kept confined in a rathroad car for more that 28 consecutive hours. In all of the 15 suits filed the government alleges that the cattle were confined for not less than 39 hours.

The Mystery is as Deep as Ever.

New York, March 12 .- Myles Standsh, brother-in-law of Dr. Horace N. Marvin, came to New York Monday from Dover, Del., to superintend the search here for Dr. Marvin's 4-year-old son. Horace, jr., who was kidnapped Tuesday from his father's home eight miles from Dover. Mr. Standish acknowledged that the mystery sur rounding the disappearance of the boy was as deep as it was a week ago. when the child was whisked out of sight within a space of less than five minutes.

Will Vote on State-Wide Prohibition.

Guthrie, Okla., March 12 .- State wide prohibition will be submitted as a separate constitutional provision to the people of the new state, the constitutional convention having adopted the proposal Monday by a vote of 69 tc

Railroad on Trial for Rebating.

New York, March 12. -The trial of the Delaware, Lackawanna & Western Railroad Co. on a charge of granting rebates on sugar shipments from Brooklyn to Buffulo and points west was begun before Judge Hough in the United States court Monday.

Three Men Killed.

Metuchen, N. J., March 12.-Three men were killed and a number of others hurr Mouday when the boiler of a cond exploded while drawing a freight

RIOT REIGNS Use As a Result of Louisville

Street Car Strike.

FEEBLE ATTEMPTS

o Run Cars are Frustrated by Synipathizers with the Strikers-Police are Inefficient.

Louisville, Ky., March 12.-Villence day of the strike of the union emback the rectum to its

developments to-day.

Superintendent Funk, of the street railway company, denied that any pro-fessional strike Breakers had been sent for. He said that all extra men hired so far were residents of Louisville and vicinity. He said that 225 men reported for work Monday.

sent out to-day would carry two po-licemen aboard each one, and that if had this affliction for 20 year service would be extended during the

At 1 o'clock Monday afternoon attempts to maintain service within the city limits were abandoned and three attack this story as soon as court with. In addition to the great incomvenience to people living in Louisville, there were last night about 3,000 suburbanites spending the night in Louis-

Clashes between the strikers and Bartlett, Mattapap, Mass, rule laid down at the beginning of the their sympathizers on one side and was admissible only as tending to the other were numerous during the show the effect it might have had in day. A charge of insubordination unbalancing the defendant's mind and against several policemen was made by Police Captain Jacobs during the day. Capt. Jacobs, who with a detail of 50 men was stationed at the car merely to show by inference-by cir barns at Fourth and Avery streets cumstantial evidence as to facts and called Chief Guenther to the scene details in the story-that Mrs. Thaw during the morning with the report that his men could not or would not make arrests of men as directed and doubtless be blocked by the same rule that the captain, himself had made most of the arrests at that point, Chief Guenther took charge of the situation there and remained for several hours.

Later in the day the scenes of turbu lence were brought nearer the city and later in the day the down town every instance when the smoke of streets were congested with strikers conflict cleared away Mr. Delmas had and their sympathizers, who hooted on his point as to the law, while Mr. 1 and leered at the few cars which were Jerome in the very argument itself run. Only a half dozen cars ran during the late afternoon and these were guarded by two policemen on platform and several inside.

> Will Form a Union of their Own. Tonopah, Nevada, March 12.— Goldfield miners have decided to sever their connection with the Industrial Workers of the World and form a union of their own. At Goldfield great excitement has been caused by internicine labor troubles. John Silva was killed Sunday night and Joe Smith, of the industrial Workers, is under arrest. Sunday the first shift of miners of the consolidated companies at Goldfield was called out on strike by the Industrial Workers of World because the carpenters would not join their order. The shift went on as usual, declaring that they would no longer be dictated to by agitators.

AN EXPENSIVE HONEYMOON.

A Colorado Farmer la "Werked" by His New Wife for \$6,000 and She Skips Out.

Denver, Col., who was married in court last Friday after she had been arraigned on the charge of obtaining \$3,000 from her prospective husband William Wambaugh, disappeared Monday after obtaining more than \$3,000 from her husband.

Wambaugh reported to the police that he had gone to a department store with his wife, and said that he entered a room to try on a pair of trousers he had purchased. His wife induced him to give her all the money he had, about \$3,000, before entering the room, and said that she would walt until he came out. He searched the store for an hour and then reported the matter to the police.

Wambaugh is a farmer in Colorado and Friday after his wedding he said that he and his wife were about to re turn there and live on his farm.

Wambaugh told the police that he had spent more than \$6,000 on his wife since he met her in Denver a week and ago. This amount includes the \$3,000 in his wife he sago. This amount includes the \$3,000 in his wife he sago. This amount includes the \$3,000 in his wife he sago. This amount includes the \$3,000 in his wife he sago week amount includes the \$3,000 in his wife he sago week amount includes the \$3,000 in his wife he said she wanted from his wife he said she wanted to buy a hat."

Vehicle Tax Ordinance is Upheld. Columbus, O., March 12.—The circuit court on Monday held that the vehicle tax ordinance passed by the city council is legal in its application to both resident and non-resident owners of vehicles.

Cure Piles Privately at Home With. out Pain or Operat.on

Trial Package Mailed Free

The result of an irritated mem-

resulting in injury to a dozen persons the action of the Pyramid Pile and a feeble and spasmodic operation Cure. The little supposition melt of 100 out of the usual 600 cars for a away into the feverish membrane few hours under inadequate police heal the ulcers, remove the inflam-protection Monday marked the agond mation and swelling and bring

patronized, and a number were stoned. As a general thing, the crowds that thronged the streets near the car barns drove the crews off the cars by merely surging forward and ordering the men away.

Mayor Barth last night said that he had not been asked to swear in extra policemen and that his course in this regard would be guided solely by the

the following might be prove our claims. "I tried the sample of

cure you sent to me. and then bought a 50 cents box. The results were immediate surprising to me. I assure you. I have been to a dozen of the best Mr. Funk declared that the first cars doctors and paid much money had this affliction for 20 years. the crowds could be kept moving the I was in a hospital for a long time, and I left it physically broken down. I owe you a debt of gratitude, I believe that piles would be banished from numanity and become an unknown thing, were every one afflicted with them to but spend from 50c to \$1.00 for Pyramid Pile Cure. Its speedy action also makes it extremely favorable for impatient people. George am yours sincerely.

No matter haw badly you sufpolice and strike breakers on fer from piles we want to cure you the other were numerous during the If you will try a free package to prove its merits yourself, we will gladly send it to your name and address at once. We will leave it to you to decide whether you can afford to discontinue treatment. Pyramid Drug Co., Pyramid Bldg., Marshall, Mich. All druggists sell the Pyramid Pile Cure, just the same as the sample at 50 cents per box.

A Driver Formerly Employed by the Adams Express Co. Is Said to Have

Stolen Goods Worth \$20,000. New York, March 12.-When City Magistrate Whitman had heard the story of several detectives Monday he held William Leonard, 20 years old, a river formerly employed Adams Express Co., in \$10,000 ball. The detectives arraigned Leonard on a short affidavit, but they told the court that when they had made a complete investigation they believed they would have evidence to charge the driver with the larceny of between

\$20,000 and \$25,000 worth of goods. When Leonard was arraigned Jacob Levine and Harry Bobken, of New York, were taken before the magistrate, charged with receiving stolen goods. Each was held in \$5,000 ball. The express company officials declare that thousands of dollars' worth of goods have been stolen from them. The method of operation was to collect merchandise for shipment and then deliver to a confederate.

185,000 Applications for Pensions Washington, March 12 .- Commissloner of Pensions Warner stated Monday that 185,000 applications for pensions have been filed under the service pension law enacted during the session of congress just closed The commissioner estimates that 300, 000 applications will be received under the new law, which allows the grant Chicago, March 12.—Mrs. Sophie ing of pension for service in the Mexi-Wambaugh, formerly Sophie Finlen, of can and civil wars at the rate of \$12 a month to veterans 62 years of age. \$15 to those 65 and \$20 to those who are 70 years of age. Murderer is Released on \$1,000 Bail.

Cleveland, March 12 .-- To comfort what it is feared are the last hours of his mother, Richard Kennedy, jr., who Sunday saved her life when he killed his father with a baseball bat in the kitchen of their home, near Falls Junction, was released on bail and hurried to her bedside Monday. A charge of manslaughter has been placed against him by Assistant County Prosecutor Mooney. As soon as Mooney swore to the warrant it was served on Kennedy, and he was hurried to Justice Brown's office, where ball was fixed at \$1,000 after Kennedy was bound over to the

Does Not Benefit Consumers. Columbus, O., March 12 .- Several of he big coal companies on Monday an-nounced a reduction of 50 cents to \$1.50 a ton in the price of Hocking Soal. An even larger cut was made in the prices of other grades of coal. These are jobbers' prices and do not affect the retail trade.

Evangelist was Well Paid. Oberlin, O., March 12.—Rev. M. H. Lyons, the evangelist, who has been conducting meetings here, left Mon-fay. About 1,000 people were at the lepot. Rev. Lyons was here just a month. He was given \$1,700 for the four weeks, work Can Only be Tried for Perjury.

Steubenville, O., March 12.—Frederick C. Fairbanks, son of the vice president, can be tried for perjury, but no for subornation of perjury, as Judge Richards on Monday held that the second and third counts of the indistance which charge subornation of perjury were invalid. Prosecutor Alban notes a supplied the source of th exceptions to the court's ruling and h will carry the case to the circuit court. He says he may decide to try Fair-banks on the first count for perjury before the case is taken to the circuit sourt, which meets in May.

Will Try It Again.

Columbus, O., March 12.-State Fire Marshal Creamer and David B. Sharp, knife, but by removing the cause of the irritation.

What is a more natural cure than a strong and yet healing balm which will bring life back to the deadened tissues? This is the cure of the deadened tissues? This is the cure of the deadened tissues? This is the cure of the cure of the deadened tissues? This is the curies of the deadened tissues? Warner because Bryant proved that he was in Michigan at the time the alleged crime was committed.

Court Sustains Rorick's Action.

Columbus, O., March 12.-The cirbuit court on Monday sustained Super-intendent Rovick, of the institution for teeble minded youth, in his attitude of efusing to accept as a patient a boy Wilbur Reynolds, who is blind, deaf and dumb and imbecile. Mandamus proceedings to force him to admit the shild were instituted and it is upon

THE ALHAMBRA CRUMBLING. Beautiful Moorish Palace in Spain Fast Going to Pieces.

Paris.-The Alhambra, the beautiful old Moorish palace at Granada, whose history has been written by Washing ton Irving and which is visited annually by crowds of tourists from Ameri-

ca, is in a serious state of decay. Four years ago cracks began to ap pear in the walls, one great fissure now extending from the base of one of the towers nearly to the top. The historic building now contains many other cracks, both inside and outside, and its general state of repair is very unsatisfactory.

The Spanish government contribution toward the care of the Athambra has been quite inadequate, only \$2,500 a year being allowed for restoration work to the official conservator of the Alhambra. It is hinted that the present conservator, Don Mariano Contreras, does not devote even that amount to repairs.

American and other tourists have noticed the state of decay into which the Albambra is falling, and blame the government for its parsimony, forgetting that they are not charged a cent for inspecting the glories of the Alhambra, and that the government has in fact been spending much money or the restoration of such famous Moor ish relics as the Alcazar at Seville and the Mosque at Cordova.

If a small charge for admission had been instituted, a fund might have been collected to keep the place in good condition.

Some action to save the Moorish palace from gradual ruin has now be come imperative. The Spanish goverament being unable or unwilling to spend more money on the work; it is be raised among lovers of the historic and beautiful in architecture all over the world. Or some wealthy American might put down the cost of the Alhambra's complete restoration.

CORSETS FOR FAT MEN. Tailors in Convention Fix Fashion for

the Swells. Washington.-Corsets for corpulent men, waistcoat buttons costing from five dollars to \$50 aplece for those who wish to put up a swell front, the long, soft roll effect in lanels and straight box coats whether or not they are friendly to your physical conformation are a few of the rules which were laid down for the well-dressed man of 1907 by the Merchant Tailors' National Protective Association of America at its

recent meeting here. Spring styles and plates exhibiting them will be issued within a few weeks, according to leading members who were present.

Narrow shoulders, with a rather square effect, and shorter sack coats will rule. Pads upon the shoulders and the long, loose effect of all coats will have to go.

Vents in the coats will be "cut out," or, rather, not cut at all, unless the customer insists, and so far as possible the tailors bind themselves to discourage him in persisting in following the styles of the two last years. Double-breasted coats also will be tabooed, and the sleeves will be made easy-fitting.

Anything that is bright and expensive will be permitted for waistcoats, and the ultra-fashionable will add to them jeweled buttons to his limit as to the price. One of the samples shown was a sort of rich brocaded silk with amber buttons whose centers were tiny rubies.

Trousers may be turned up at the ottom or according to the owner's taste. They will be in blue, brown and various shades of green, although mixed goods will be permissible. In overcoats the surtout and paletot

will be dropped and a · form-fitting, straigh box cont will prevail.

Set in Her Way.

Det took her city cousin out to the hen house to get the eggs, but the speckled hen was on her nest, deter-mined to set, and Dot did not dare to take her off. "We can't get these is awful setty and the is so cross I'm afraid of her."

Notwithstanding the high price of stock, we are sell-ing the finest

Home Made Sausage at 10c the pound.

It's a low crice, but it simply demonstrates our ability to do this

... THE ... MARION PROVISION COMPANY. Both Phones. E. Center B

Removed

I have moved my stock of cloth-ing, Gent's Furnishing, and shoes from North Main street to the Tru block on West Center street formerly occupied by John Pfann Come in and get acquainted.

I. M. Hayfer & Co.

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Mozier & Rhoads. Both Phones , N. State St.

DR.W. H. HINKLIN: OFFICE-West Center Street. tes neure: 4:30 to 0:30 a. m. and 2:30 to 4:30 p m.

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MARION, LEGAL PUDER,
MONARCH AND NIOKERBOCKER. Cail for these brands and take no other. Made and sold for Marion people. At all grocers.

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will do the work in one-tenth the time required by the old-fushione arm-aching changing bowl.

Chops anything from nuts the toughest meat without squeeting or mashing.

Haberman Howe. Co